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Attorneys for Plaintiff
 Mortgage Electronic Registration Systems, Inc.,
 a Delaware corporation

**IN THE UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION**

**MORTGAGE ELECTRONIC
 REGISTRATION SYSTEMS, INC.,
 Plaintiff,**

v.

**THERESA G. WHARTON, et al.,
 Defendant.**

) **CASE NO. 08-05152-JF**
)
) **STIPULATION TO CONTINUE**
) **CASE MANAGEMENT CONFERENCE**
) **AND PROPOSED ORDER**

A Case Management Conference in the above-captioned matter is currently set for July 10, 2009. Plaintiff and defendants United States and Franchise Tax Board, State of California have exchanged discovery and engaged in productive settlement negotiations.

Accordingly, the parties respectfully request that the Case Management Conference be continued until September 25, 2009 to permit further opportunity to resolve this matter. Any resolution would require authorization from the Civil Section of the Department of Justice, Tax Division and this continuance would allow this.

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JOSEPH P. RUSSONIELLO
United States Attorney

Dated: July 7, 2009

/s/ Blake D. Stamm
BLAKE D. STAMM
Assistant United States Attorney
Tax Division
Attorneys for United States of America

STEYER LOWENTHAL BOODROOKAS
ALVAREZ & SMITH LLP

Dated: July 7, 2009

/s/ Lucas E. Glmore
LUCAS E. GILMORE
Attorney for the Plaintiff

CALIFORNIA STATE ATTORNEY
GENERAL'S OFFICE

Dated: July 7, 2009

/s/ Marguerite C. Stricklin
MARGUERITE STRICKLIN
Attorney for Defendant
Franchise Tax Board,
State of California

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2 **IN THE UNITED STATES DISTRICT COURT FOR THE**
3 **NORTHERN DISTRICT OF CALIFORNIA**
4 **SAN JOSE DIVISION**

5 **MORTGAGE ELECTRONIC**
6 **REGISTRATION SYSTEMS, INC.,**
7 **Plaintiff,**

8 **v.**

9 **THERESA G. WHARTON, et al.,**
10 **Defendant.**

11 **CASE NO. 08-05152-JF**

12 **PROPOSED ORDER TO CONTINUE**
13 **CASE MANAGEMENT CONFERENCE**
14 **AND PROPOSED ORDER**

15 In accordance with the parties' stipulation, the Case Management Conference is
16 continued until September 25, 2009.

17 **IT IS SO ORDERED.**

18 Dated: July 8, 2009

19 
20 THE HONORABLE JEREMY FOGEL
21 United States District Court Judge